



CERTIFICATE OF MAILING

I HEREBY CERTIFIED THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT POSTAGE AS FIRST-CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON 1 MAY 2007.

*Trudy S. Halpern*

Signature of person depositing this document

*1 May 2007*  
DATE

Attorney Docket No. C75105C1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Kyle *et al.* 1 May 2007  
Serial No.: 10/670,922 Group Art Unit No.: 1617  
Filed: 24 September 2003 Examiner: K. Carter  
For: METHOD FOR REDUCING OR ELIMINATING SMOKING

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(b)/(c)**

Sir:

Your petitioner, SmithKline Beecham Corporation, a corporation organized and existing under the laws of the Commonwealth of Pennsylvania in the United States of America and having its principal place of business at One Franklin Plaza, 200 North 16<sup>th</sup> Street, Philadelphia, Pennsylvania 19103, and duly represented by the undersigned attorney of record, represents that it is the assignee of the full title and interest in and to the above-identified Application No. 10/670,922, filed 24 September 2003 for "Method for Reducing or Eliminating Smoking" by virtue of the assignment being duly recorded at Reel 010812 and Frame 0161 in the United States Patent and Trademark Office on May 16, 2000.

Your petitioner hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 5,055,478, as presently shortened by any terminal disclaimer, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be

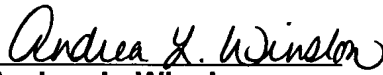
Serial No. 10/670,922  
Group Art Unit No. 1617

the same as the legal title to U.S. Patent No. 5,055,478, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Your petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No. 5,055,478, as presently shortened by any terminal disclaimer, in the event that subsequent hereto U.S. Patent No. 5,055,478 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is the subject of any disclaimer under 37 C.F.R. 1.321 (a), has all claims cancelled by a reexamination certificate or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), please charge the \$110.00 fee required by this Petition under 37 CFR 1.20(d) to Deposit Account No. 19-2570. Please charge any additional fees under 37 C.F.R. § 1.16 or § 1.17 which may be required by this paper, or credit any overpayment to Deposit Account No. 19-2570.

Respectfully submitted,

  
**Andrea L. Winslow**  
Attorney for Applicants  
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